



THE CEYLON GOVERNMENT GAZETTE

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PART II.—LEGAL.

Separate paging is given to each Part in order that it may be filed separately.

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DRAFT ORDINANCES.

MINUTE.

The following Draft of a proposed Ordinance is published for general information:—

L. D.—O 2/39

A 9/39

An Ordinance to amend the Indian Immigrant Labour Ordinance.

BE it enacted by the Governor of Ceylon, with the advice and consent of the State Council thereof, as follows:—

1. This Ordinance may be cited as the Indian Immigrant Labour (Amendment) Ordinance, No. of 1942.

2. Section 13 of the Indian Immigrant Labour Ordinance, (hereinafter referred to as "the principal Ordinance"), is hereby amended as follows:—

(1) in sub-section (1), by the substitution, for the words "recruitment of such labourers," at the end of that sub-section, of the following:—

"recruitment of such labourers;

(i) the payment of gratuities to persons who are proved to the satisfaction of the Controller to have received salaries from the Tin Ticket Fund during any period preceding the eleventh day of April, 1923, and to have been employed in the service of the Government of Ceylon during any period commencing on that day.;"

(2) by the addition, immediately after sub-section (2), of the following new sub-section:—

"(3) Nothing in paragraph (i) of sub-section (1) shall be deemed to authorise the payment of a gratuity to any person except upon his retirement from the service of the Government of Ceylon and except in respect of the period during which he is proved to the satisfaction of the Controller to have been paid a salary from the Tin Ticket Fund.

In every case where a gratuity is to be paid to any person under paragraph (i) of sub-section (1), the amount of the gratuity shall be fixed by the Governor."

3. Sub-section (1) of section 13 of the principal Ordinance shall, from the eleventh day of April, 1923, (being the date of the commencement of the principal Ordinance), have effect and be deemed to have had effect as though the new paragraph (i) which is inserted by this Ordinance in that sub-section had been inserted therein on that date.

Chapter 111,
(Volume III,
page 329):

Short title.

Amendment of
section 13 of
Chapter 111.

Retrospective
effect of
amendment of
section 13 (1)
of the principal
Ordinance.

Objects and Reasons.

In accordance with the provisions of section 12 of the Indian Immigrant Labour Ordinance, the balance in the Tin Ticket Fund at the date of the commencement of the Ordinance was paid into the Immigration Fund. Some of the persons who had previously been paid salaries from the Tin Ticket Fund were transferred to the Government service after the enactment of that Ordinance; and, upon the retirement of such persons from the Government service, gratuities were paid to them out of the Immigration Fund in respect of the period of their employment under the Tin Ticket Fund.

Sub-section (1) of section 13 of the principal Ordinance does not, however, contain provision for the payment of gratuities to such persons, and the object of clause 2 (1) of this Bill is to amend that section by the addition of a new paragraph which will authorise the payment of such gratuities out of the Immigration Fund. The gratuity paid out of that Fund to any person will be in respect only of the period during which he was paid salary out of the Tin Ticket Fund, and the amount of the gratuity will be fixed in each case by the Governor.

In order to validate the payment of gratuities in the past, the amendment to sub-section (1) of section 13 will take effect retrospectively from the date of the commencement of the principal Ordinance (clause 3).

Colombo, January 22, 1942.

G. S. WODEMAN,
Chief Secretary.

NOTICES OF INSOLVENCY.

In the District Court of Colombo.

Insolvency No. 5,620. In the matter of the insolvency of Frederick William Wijayasinghe, of 100B, Ratmalana, insolvent.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will be held at the 2nd sitting of this court on June 12, 1942, for the examination of the above-named insolvent.

May 11, 1942.

By order of court, C. EMMANUEL,
Secretary.

In the District Court of Colombo.

No. 5,637. In the matter of the insolvency of Norton Clarence de Silva of 65D, Karadampaya, Dehiwala.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the 2nd sitting of this court on June 5, 1942, for the examination of the insolvent.

May 12, 1942.

By order of court, C. EMMANUEL,
Secretary.

In the District Court of Kandy.

No. I. 96. In the matter of the insolvency of D. P. Wangasekera of Ampitiya in Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on June 5, 1942, to consider the granting of a certificate of conformity to the above-named insolvent.

May 12, 1942.

By order of court, R. B. RATNAIKA,
Secretary.

In the District Court of Kandy.

No. I. 98. In the matter of the insolvency of William Francis Ratnapala of Peradeniya road, Kandy.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on June 5, 1942, for the examination of the above insolvent and for the 2nd sitting.

May 11, 1942.

By order of court, R. B. RATNAIKA,
Secretary.

In the District Court of Galle.

No. 724. In the matter of the insolvency of Wilnot Ferdinandis Abeywickrama of Abangama.

NOTICE is hereby given that a meeting of the creditors of the above-named insolvent will take place at the sitting of this court on June 19, 1942, to consider the granting of a certificate of conformity to the said insolvent.

May 8, 1942.

By order of court, M. N. PEIRIS,
Secretary.

NOTICES OF FISCALS' SALES.

Western Province.

In the District Court of Colombo.

Shaik Abdul Rasak Carrim of No. 64, Wekanda, Slave Island, in Colombo Plaintiff.

No. 32,664/M.

Vs.

Kudarata Albert de Silva of Ratmalana, presently of the Manning Market, Colombo, Defendant.

NOTICE is hereby given that on Monday, June 8, 1942, at 3.30 P.M. will be sold by public auction at the premises the following property mortgaged with the plaintiff by bond No. 278 dated

January 20, 1928, attested by Albert F. Peiris of Colombo, Notary Public, and declared specially bound and executable under the decree entered in the above action and ordered to be sold by the order of court dated February 16/17, 1942, for the recovery of the sum of Rs. 1,343, with interest on Rs. 1,125 at 15 per cent. per annum from May 7, 1929, to October 29, 1930, and thereafter on the aggregate amount of the decree at 9 per cent. per annum till payment in full and costs of suit, viz.:—

All that land called Alubogahawatta situated at Kaldemulla in Moratuwa in the Palle pattu of Salpiti korale in the District of Colombo, Western Province; bounded on the north by the property of the heirs of Banadura Podiharny Silva, east by the property of Kaluhat Manis Silva, south by the property of Mututantuge Bastian, and west by Gansabhawa road; containing in extent 1 rood and 14 75/100 perches as per plan No. 827 dated November 22, 1927, made by A. H. Fernando, Licensed Surveyor, together with all rights, privileges, easements, servitudes and appurtenances whatsoever to the said premises belonging or usually held, occupied, used or enjoyed therewith, and all the estate, right, title, interest, property, claim and demand whatsoever of the defendant in and to out of all upon the same. Prior registration M 285/169.

Fiscal's Office,
Colombo, May 13, 1942.H. C. WIJESINHA,
Deputy Fiscal.

In the Court of Requests of Colombo.

Messrs. Walker Sons and Company, Limited, of Colombo. Plaintiff.

No. 62,787.

Vs.

M. J. Jayaratne, Caroline Willa, Negombo. Defendant.

NOTICE is hereby given that on Wednesday, June 10, 1942, at 10 o'clock in the forenoon, will be sold by public auction at the spot the right, title and interest of the said defendant in the following property, viz.:—

At 10 a.m.—The several contiguous allotments of land called portions of lots C, D, and E, of Divulgahawatta alias Maragahawatta, Delgahawatta, Kosgahawatta, Divulgahawatta, 3/10 of Pelawatta and 2/53 of Gorakegahawatta bearing assessment Nos. 17 and 17D, situated at 3rd Division, Udayartoppu within the gravets of Negombo, in the District of Negombo, Western Province; and bounded on the north by the land of Palaniappa Chetty and land of Mrs. W. A. de Zoysa, east by the land of T. Lenny de Silva Kumarawaidiya and others and land of Mrs. W. A. de Zoysa, south by the dewata road, and west by a portion of this land of W. Joseph Mendis Abeysekera, land acquired for the Government Hospital and land of Palaniappa Chetty; and containing in extent 1 acre 2 roods and 28 perches, together with all the buildings and plantations standing thereon.

At 10.30 a.m.—Lot A of Jambughawatta, situated at 3rd Division, Udayartoppu aforesaid; and bounded on the north by the land of P. L. de Silva, east by the high road from Tammita to Periyamulla, south-east by lot B in plan No. 2,526, south by the land of M. Charles de Silva and others, and west by land of Mrs. Emelia de Silva Jayawardane; and containing in extent 3 roods and 12 perches, together with the buildings and plantations standing thereon.

At 11 a.m.—Lots B & C of Kosgahawatta, Delgahawatta and Talgahawatta bearing assessment Nos. 31, 32, and 43, situated at 3rd Division, Udayartoppu aforesaid; and bounded on the north by the land belonging to Maris Stella College, land of P. L. de Silva, land of Mrs. Emelia de Silva Jayawardane, north-east by lot A in plan No. 2,526, east by land of M. Charles de Silva and others, land of Manam Emelin de Silva and land of the heirs of J. B. Jayaratne, south by land of Palaniappa Chetty and land acquired for Government Hospital, south-west by land of Aladdm Silva and land of R. P. Bapu Pillai, and west by land of Maris Stella College; and containing in extent 1 acre 1 rood and 8 perches, together with the buildings and plantations standing thereon.

At 11.30 a.m.—The allotments called (1) Halgahawatta alias Siyambalagahawatta and (2) Madhyagahakumbura, situated at (1) 4th Division Tammitta and (2) at Katuwapitiya within the (1) gravets and (2) Alutkuru korale in the District of Negombo, bearing assessment No. 93; and bounded on the north by the land of the heirs of Jorans Appuhamy and land of Lazarus Fernando and others, east by land of Lazarus Fernando and land of Emelianu Fernando, south by the field of Emelianu Fernando and land of Polaris Fernando and others, and west by Weboda road, south from Bolawalana to Hunupitiya; containing in extent 4 acres and 13 perches, together with the buildings and plantations standing thereon. The amount to be levied is Rs. 259.30 with legal interest thereon from February 8, 1940, till payment in full, incurred costs Rs. 38 and prospective costs Rs. 2.75, and p. d. age.

Deputy Fiscal's Office,
Negombo, May 8, 1942.

S. AMRTHALINGAM,
Deputy Fiscal.

Southern Province.

In the District Court of Galle.

Keembiyege William of Gonapinuwa Plaintiff.
No. 36,974. Vs.

(28) Kottawattage Adoris Appu of Gonapinuwa, (33) William Edmund Fonseka of Urawatta, Ambalangoda Defendants

NOTICE is hereby given that on Tuesday, June 23, 1942, commencing at 10 o'clock in the forenoon, will be sold by public action at the respective premises the right, title and interest of the said plaintiff and 28th and 33rd defendants in the following property for the recovery of a sum of Rs. 379.98, plus cost Rs. 12.75, viz:—

Property of 33rd Defendant.

1. All those lots Nos. 1 and 2 of the land called Badahelayawatta Addarakumbura, situated at Gonapinuwa in the Wobagoda pattu of the District of Galle, Southern Province, and bounded on the north by Maggonagewatta Addarakumbura, east by ela, south by lot No. 2 of the same land, and west by road to Baddegama; and containing in extent 2 roods together with the 11-cubit boutique standing thereon bordering the road.

2. All that lot No. 2 of the land called Ihalagalakumbura, situated at Gonapinuwa aforesaid; and bounded on the north-east by footpath, south-east by Pappalyagahawatta, south-west by Galakumbura, and north-west by ela; and containing in extent 3 roods and 5 6/100 perches.

3. All that lot No. 16 of the land called Sandarago Delgahawatta, situated at Gonapinuwa aforesaid; and bounded on the north by Batadombagahawatta, east by lot No. 17 of the same land, south by footpath, and west by lot No. 15 of the same land; and containing in extent 8.23 perches.

4. All that undivided 1/48 part or share of the soil and trees of the land called Nilewatta, situated at Gonapinuwa aforesaid; and bounded on the north by Halgahawatta, east by Alutwalagahakumbura, south by Hettigewatta, and west by Gansabhaya road; and containing in extent 2 acres.

Property of 28th Defendant.

5. An undivided 1/16 part of the soil and trees of the land called Nilewatta, situated at Gonapinuwa aforesaid; and bounded on the north by Keembiyegewatta alias Talgahawatta, east by Alutwalagawela, south by Hettiyagewatta, and on the west by Keembiyegewatta alias Talgahawatta, and containing in extent about 3 acres.

Fiscal's Office,
Galle, May 7, 1942.

W. P. DALUWATTE,
Deputy Fiscal.

In the Court of Requests of Tangalla.

John Samarasingha of Kottagoda, in Matara District . . . Plaintiff.
No. 16,556. Vs.

Edwin Gurasekera Weliputti of Talahaganwaduwa . . . Defendant.

NOTICE is hereby given that on Wednesday, June 10, 1942, at 3 o'clock in the afternoon, will be sold by public auction at the premises the following property mortgaged to the plaintiff by bond No. 11,932 dated March 18, 1941, attested by G. P. Sirisena, Notary Public, and ordered to be sold by order of court dated March 19, 1942, for the recovery of Rs. 203.85, with further legal interest on Rs. 216.25 from March 18, 1942, till payment in full, viz:—

At Talahaganwaduwa.

All that soil and plantations of the land called Bogahahena in extent 6 acres and 38 perches, situated at Talahaganwaduwa in West Gruwa pattu; and bounded on the north by T. P. 281,455, east by lot 147 and T. P. 325,255, south by lots 168c1 and 169, and west by T. Ps 325,922 and 326,449.

Deputy Fiscal's Office,
Tangalla, May 9, 1942.

V. ALI RAJAH,
Additional Deputy Fiscal.

Northern Province.

In the District Court of Jaffna.

Kanapathiar Saravanamuttu of Vaddukkoddai Plaintiff.

(1) Nagammah, wife of Sellappah Sundrampillai, and (2) her husband Sellappah Sundrampillai, both of Vannarponnai Substituted Plaintiffs.
No. 2,164. Vs.

(1) Sellappah Ponnai and wife (dead), (2) Rasammah of Vannarponnai East Defendants.

(1) Ponniah Thiagarajah of Vannarponnai East, (2) Ponniah Pathmanathan of ditto, (3) Ponniah Pakkialledchumy of ditto (minors); the 1st to 3rd are minors appearing by their guardian ad litem the 1st defendant, (4) Rasaratnam Panchalingam and wife (5) Jayaledchumy of Vannarponnai East Substituted Defendants.

NOTICE is hereby given that on Friday, June 5, 1942, at 11 o'clock in the forenoon, will be sold by public auction at the premises

the right, title, and interest of the said substituted defendants as legal representatives of the late Rasammah, for the recovery of a sum of Rs. 1,235.13 and interest at 9 per cent. per annum from April 7, 1932, till payment in full and poundage and charges in the following property, viz:—

All that land and premises situated at Vannarponnai East, Vannarponnai parish, Jaffna division of the Jaffna District, Northern Province, called Palsanhanavalavu and Mathanvalavu in extent 3 1/2 lachams varagu culture, with the house, well and plantations in it, but excluding the half share in the well and the right of way and water-course belonging to the southern boundary land; bounded on the east and south by Thillaiyampalam Kanagurattam and sharholders, north by lane, west by road.

Fiscal's Office,
Jaffna, May 12, 1942.

V. NALLIAU,
for Fiscal.

Province of Sabaragamuwa.

In the District Court of Ratnapura.

Hathhetuwe Gamago Robert Silva of Madamp Plaintiff.
No. 6,680. Vs.

(1) Madduma Howage Juhani Fernando of Nugawola, (2) Surawoora Arachchiga Don Peter Appuhamy of Madampe Defendants.

NOTICE is hereby given that on Wednesday, June 17, 1942, at 11 o'clock in the forenoon, will be sold by public auction at the premises the right, title, and interest of the said first defendant in the following property for the recovery of Rs. 2,392, with interest thereon at 9 per cent. per annum from November 1, 1938, till payment in full and poundage and costs Rs. 28.43, viz:—

An undivided 1/10 share of the land called Uluka-lowatta alias Tonnekoratuwa on both sides on the high road together with an undivided half share of the plantations, entirety of the three thatched boutique rooms and entirety of the house and construction within gala (stable) standing thereon, situated at Nugawola in Panul pattu of Atakalan korle (T. P.) District of Ratnapura of the Province of Sabaragamuwa; and bounded on the north by Bogaha-owita, east by Godaparagahawatta, south by Bandarakudawatta, west by Palliyona, and containing in extent about six acres of kurakkan sowing.

Registered in the Ratnapura Land Registry Office under registered marks F. 80/241.

Fiscal's Office,
Ratnapura, May 4, 1942.

A. B. KARALLIADDE,
Additional Deputy Fiscal.

NOTICES OF TESTAMENTARY ACTIONS.

In the District Court of Colombo.

Order Nisi.

No. 9,968 N.T. In the Matter of the Intestate Estate and Effects of Peter Nandias Edirisooriya of Moratuwa in Matara, deceased.

Cyanago Louisa Maria Edirisooriya of Negombo Petitioner.

And

(1) Edirisooriya Patabandige Don Diyoni, and (2) Madduma Patabandige Ponnai Hanu, both of Dickwella, in Matara Respondents.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Colombo, on February 24, 1942, in the presence of Mr. D. F. de Silva, Proctor, on the part of the petitioner above named; and the affidavit of the petitioner dated February 16, 1942, having been read.

It is ordered that the petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to the estate issued to her, unless the respondents above named or any other person or persons interested shall, on or before May 21, 1942, show sufficient cause to the satisfaction of this court to the contrary.

May 7, 1942.

JAMES JOSEPH,
District Judge.

In the District Court of Colombo.

Testamentary In the Matter of the Estate of the late Wadduwage Jurisdiction. Justin Perera Ratnayake, deceased, of Talpitiya, No. 9,994. in Wadduwa.

W. Bartholomew alias Bonny Perera of Talpitiya in Wadduwa Petitioner.

Dona Albina Wettasinghe of Talpitiya aforesaid Respondent.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Colombo, on March 9, 1942, in the presence of Mr. M. P. Wijesinghe, Proctor, on the part of the petitioner, and the affidavits of the above-mentioned petitioner, dated February 25, 1942, of the attesting notary dated November 17, 1941, and of a witness dated November 15, 1941, having been read.

It is ordered that the last will and testament of Wadduwage Justin Perera Ratnayake, deceased dated August 18, 1941, and numbered 6657 be and the same is hereby declared proved, unless the respondents or any person or persons interested shall, on or before May 21, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is the executor named in the said will and that he is entitled to have probate of the same issued to him accordingly unless the respondents or other person or persons interested shall, on or before May 21, 1942, show sufficient cause to the satisfaction of this court to the contrary.

May 12, 1942.

JAMES JOSEPH,
Additional District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. In the Matter of the Estate of the late Don Cornelis Perera Rajapakse Senanayake, Notary Public; deceased, of Matammana. No. 10,002. Dona Wimalawathie Perera Rajapakse Senanayake of Matammana Petitioner.

- (1) Dona Anura Kumari Perera Rajapakse Senanayake, (2) Don Hector Perera Rajapakse Senanayake, both of Matammana, (3) Dona Chandrawathie Perera Rajapakse Senanayake of Mukalanganmuwa; the 1st to 3rd respondents being minors by the guardian ad litem (4) Bope Aratchige Don Pablu Appuhamy of Mukalanganmuwa Respondents.

THIS matter coming on for disposal before James Joseph, Esq., District Judge, Colombo, on March 19, 1942, in the presence of Mr. S. D. C. W. Senaratne, Proctor, on the part of the petitioner; and the affidavit of the above-mentioned petitioner dated March 13, 1942, having been read.

It is ordered that the said 4th respondent be appointed guardian ad litem over the 1st, 2nd, and 3rd respondents, and that the said petitioner, as a daughter of the above-named deceased, is entitled to have letters of administration to his estate issued to her accordingly, unless the respondents or other person or persons interested shall, on or before May 21, 1942, show sufficient cause to the satisfaction of this court to the contrary.

May 12, 1942.

JAMES JOSEPH, Additional District Judge.

In the District Court of Colombo.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Ramasundera Hettige Aloysius Soya of Nagoda, deceased. No. 10,009. Kalpahewayage Mary Bridget Soya of Nagoda Petitioner.

- (1) Michael Soya, (2) Winifreda Annette Soya, (3) Reginald Soya, (4) Kalpahewayage Albert Peris, all of Nagoda Respondents.

THIS matter coming on for disposal before James Joseph, Esq., Additional District Judge, Colombo, on March 19, 1942, in the presence of Mr. J. L. Sarawera, Proctor, on the part of the petitioner; and the affidavits of (1) the petitioner dated March 19, 1942, and (2) the attesting witnesses dated March 2 and 7, 1942, having been read.

It is ordered that the last will and testament of Ramasundera Hettige Aloysius Soya, deceased the original of which has been produced and is now deposited in this court, be and the same is hereby declared proved, and that the petitioner is the executrix named in the said will and she is hereby declared entitled to have probate thereof issued to her accordingly, unless the respondents above named or some other person or persons interested shall, on or before May 21, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 4th respondent above named be and he is hereby appointed guardian ad litem of the minors, the 1st, 2nd, and 3rd respondents, to represent them for all the purposes of this action.

March 25, 1942.

JAMES JOSEPH, Additional District Judge.

Order Nisi declaring Will proved, &c.

Testamentary Jurisdiction. In the Matter of the Intestate Estate and Effects of the late Wijeratna Mudiyansele Don Martheunis Andradi of Alutgama, deceased. No. 10,015. Magage Missie Nona Silva of Alutgama Petitioner.

- (1) Wijeratna Mudiyansele Don Sirsena Andradi of Alutgama, (2) Wijeratna Mudiyansele Dona Seelawathie Fernando nee Andradi of Panawa, (3) Wijeratna Mudiyansele Don Darel Andradi, (4) Wijeratna Mudiyansele Don Herad Andradi, (5) Wijeratna Mudiyansele Don Jnadasa Andradi, (6) Weerakonda Arachchige Joseph Silva, all of Alutgama (the 3rd to 5th respondents by their guardian ad litem the 6th respondent) Respondents.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Colombo, on March 26, 1942, in the presence of Mr. Arthur de Silva, Proctor, on the part of the petitioner, and the affidavit of the above-named petitioner dated March 25, 1942, having been read.

It is ordered that the petitioner above named be and she is hereby declared entitled to have letters of administration to the estate of the deceased above named issued to her, unless the respondents or any other person interested shall, on or before June 4, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Weerakonda Arachchige Joronus Silva, the 6th respondent, be appointed guardian ad litem over the 3rd to 5th respondents, who are minors, for all the purposes of this action, unless the respondents or others interested shall, on or before June 4, 1942, show sufficient cause to the satisfaction of this court to the contrary.

March 26, 1942.

JAMES JOSEPH, District Judge.

In the District Court of Colombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of Robert Bald Harvey of 19, Sutherland avenue, Seahill-on-Sea, in the County of Sussex, England, deceased. No. 10,034.

THIS matter coming on for disposal before James Joseph, Esq., District Judge of Colombo, on May 7, 1942, in the presence of Mr. Victor Sutherland Cooke, Proctor, on the part of the petitioner, Perceval Stephen Martensz of Colombo, and (1) the affidavit of the said petitioner dated May 6, 1942, (2) the power of Attorney dated October 1941, and (3) the order of the Supreme Court dated April 20, 1942, having been read: It is ordered that the will of the said Robert Bald Harvey, deceased dated May 8, 1940, of which under the Seal of the District Probate Registry at Lewes of His Majesty's High Court of Justice in England has been produced and is now deposited in this court, be and the same is hereby declared proved; and it is further declared that the said Perceval Stephen Martensz is the attorney in Ceylon of the executor named in the said will and that he is entitled to have letters of administration (with will annexed) issued to him accordingly, unless any Person or persons interested shall, on or before May 21, 1942, show sufficient cause to the satisfaction of this court to the contrary.

May 8, 1942.

JAMES JOSEPH, District Judge.

In the District Court of Negombo.

Order Nisi declaring Will proved.

Testamentary Jurisdiction. In the Matter of the Last Will and Testament of the late Pena Ana Lana Rawanna Mana Ramasamy Chettiar, also known as Veyana Rama Rawanna Mana Ana Ramasamy Chettiar of Kandaramanikkam in India, deceased. No. 3,175. Pena Ana Lana Sanga Elumngom Chettiar of Kandaramanikkam in India, presently of Negombo Petitioner.

- (1) Salakshi Achi, (2) Paripooranam Achi, both of Kandaramanikkam in India, (3) Alamalu Achi of Naluvikottai in India, (4) Annam Achi, (5) Alagammai Achi, both of Kandaramanikkam in India, (6) Rawanna Mana Kristna Chettiar, presently of Negombo, (7) Vena Kristna Iyengar of Kandaramanikkam, (8) Vallammai Achi of Amarapathy Puthur, and (9) Janaki Achi of Palavankudi Respondents.

THIS matter coming on for disposal before A. S. Vanigasooriar, Esq., District Judge of Negombo, on April 24, 1942, in the presence of Mr. S. K. Wijayarathna, Proctor, on the part of the petitioner, and the affidavits (1) of the said petitioner dated February 20, 1942, and (2) of three of the attesting witnesses dated March 14, 1942, having been read.

It is ordered that the last will and testament of the late P. A. L. R. M. Ramasamy Chettiar, also known as Pena Ana Lana Rawanna Mana Ramasamy Chettiar, son of P. A. L. Alagappa Chettiar, dated December 29, 1941, and now deposited in this court, be and the same is hereby declared proved, unless the respondents above named or any other person or persons interested shall, on or before May 28, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered (a) that the 6th respondent above named be and he is hereby appointed guardian ad litem of the 4th and 5th respondents above named, who are minors, to represent them for all the purposes of this action, and (b) that the said petitioner is an executor named in the said will and that he is entitled to have probate thereof issued to him accordingly, unless the respondents or any other person or persons interested shall, on or before May 28, 1942, show sufficient cause to the satisfaction of this court to the contrary.

April 24, 1942.

A. S. VANIGASOORIAH, District Judge.

In the District Court of Kalutara.

Order Nisi.

Testamentary Jurisdiction. In the Matter of the Estate of the late Dona Charlotte Meegama, deceased, of Panadura. No. 3,033. Don Wilfred Edwin Meegama of Nimal, Vajira road, Bambalapitiya Petitioner.

- (1) Don James Hector Meegama of Panadura, (2) Dona Lillian Gertrude Meegama of ditto, (3) Don George Victor Meegama of ditto, (4) Don Herbert Darwin Meegama of ditto, (5) Don Charles Colvin Meegama of ditto, (6) Dona Florence Lavina Meegama of ditto, (7) Dona Irene Winifred Meegama of ditto, (8) Don Neville Lucian Meegama of ditto Respondents.

THIS action coming on for disposal before V. Joseph, Esq., District Judge of Kalutara, on April 17, 1942, in the presence of Messrs. Tirumanne & Meegama, Proctors, on the part of the petitioner; and the affidavit of the above named petitioner dated December 3, 1941, having been read.

It is ordered that the said petitioner be and he is declared entitled to, as the eldest son of the deceased, to have letters of administration of her estate, unless the respondents or any other person interested in the estate shall, on or before May 26, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said Don James Hector Meegama, the 1st respondent, be appointed guardian ad litem over the 8th respondent, unless the respondents or others interested in the estate shall, on or before May 26, 1942, show sufficient cause to the satisfaction of this court to the contrary.

April 17, 1942.

V. JOSEPH, District Judge.

In the District Court of Kandy.

Order Nisi declaring Will proved

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Sella Hennedige Jochim Fernando, deceased. of No. T. 276. Eriyagastana.

S. J. Caroline Fernando of Nikatenna, Panwila Petitioner.

(1) Manamala Sudduge Esmalino Fernando of Swastika Hotel, Trincomalee and (2) Savanai Fernando of Maggona Respondents.

THIS matter coming on for disposal before Chellappah Nagalingam, Esq., District Judge, Kandy, on March 28, 1942, in the presence of Mr. M. B. E. Senovirano, Proctor, Supreme Court, Kandy, on the part of the petitioner, S. J. Caroline Fernando of Nikatenna, Panwila; and the affidavits of the said petitioner dated February 13, 1942, and of the attesting witnesses dated February 13, 1942, having been read:

It is ordered that the last will of the above named deceased dated February 13, 1936, and now deposited in this court be and the same is hereby declared proved, unless the respondents or any other person or persons interested shall, on or before May 18, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further declared that the said petitioner is the executor named in the said will and that she is entitled to have probate of the same issued to her accordingly, unless the respondents or any other person or persons interested shall, on or before the said date show sufficient cause to the satisfaction of this court to the contrary.

March 28, 1942.

C. NAGALINGAM,
District Judge.

In the District Court of Kandy.

Order Nisi.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Samuel Davamani Sargunam, deceased, of Nawalapitiya. No. T 277.

Davamani Thangammal of Nawalapitiya Petitioner.

(1) Samuel Dorairaj, (2) Annal Elizabeth Margaret, (3) Joy Sugirtham, (4) Samuel Devadasan, (5) Anne Jemima Devanesam, all of 120, Gampola road, Nawalapitiya, and (6) S. M. Gnanayutham Nadar of 30, Gampola road, Nawalapitiya; the 1st to 5th respondents are minors by their guardian *ad litem* S. M. Gnanayutham Nadar, the 6th respondent Respondents.

THIS matter coming on for disposal before Chellappah Nagalingam, Esq., District Judge, Kandy, on March 28, 1942, in the presence of Mr. T. Sinnappah, Proctor, Supreme Court, Gampola, on the part of the petitioner, Davamani Thangammal; and the affidavit of the said petitioner dated March 21, 1942, having been read:

It is ordered that the petitioner be and she is hereby declared entitled, as the widow of the above-named deceased, to have letters of administration to the estate of the deceased issued to her, unless the respondents above named or any other person or persons interested shall, on or before May 18, 1942, show sufficient cause to the satisfaction of this court to the contrary.

March 28, 1942.

C. NAGALINGAM,
District Judge.

In the District Court of Nuwara Eliya, holden at Hatton.

Order Nisi.

Testamentary In the Matter of the Intestate Estate and Effects of Jurisdiction. of Pena Suna Veloo of St. Vigean's estate, No. 216. Bogawantalawa, deceased.

Govindan Varatharajah of St. Vigean's estate, Bogawantalawa Petitioner.

(1) Amarawathy Ammal, daughter of the said P. S. Veloo (deceased), (2) Annal Ammal, daughter of the said P. S. Veloo (deceased) and her husband (3) M. S. Krishnasamy, and (4) Arumugam, daughter of the said P. S. Veloo (deceased), a minor by her guardian *ad litem* the 1st named respondent Respondents.

THIS matter coming on for disposal before W. Olagasegaram, Esq., District Judge, Nuwara Eliya-Hatton on April 21, 1942, in the presence of Mr. Manikkam Elatamby, Proctor, on the part of the petitioner, Varatharajah son of Govindan of St. Vigean's estate, Bogawantalawa; and the affidavit of the said petitioner dated April 21, 1942, having been read:

It is ordered that the petitioner be and he is hereby declared entitled, as the eldest son-in-law of the deceased, to have letters of administration to the estate of the deceased issued to him, unless the respondents above named or any other person or persons interested shall, on or before May 26, 1942, show sufficient cause to the contrary.

It is further ordered that the 1st respondent be and she is hereby appointed guardian *ad litem* over the minor, the 4th respondent, for the purposes of these proceedings.

April 21, 1942.

W. OLAGASEGARAM,
District Judge.

In the District Court of Matara

Order Nisi.

Testamentary In the Matter of the Last Will and Testament (with Jurisdiction. the Codicils attached thereto) of James Alexander Wickremaratne, Gato Mudaliyar, of Matara, deceased. No. 3,836.

Wilfred Joseph Serasinghe, Proctor, of Matara Petitioner.

(1) Harry Edward Shupp Wickremaratne, Mudaliyar of Matara, (2) Richard Francis Wickremaratne of Parawahora, (3) Eleanor Louisa Sivwardena of Edward House, Matara, (4) Lena Adelaide Crona of Edward House, Matara, (5) Millicent Gertrude Perera of Mizpah, Matara, (6) Dr. Lionel Edmund Wickremaratne, V.M.O., Horana, (7) Emily Grace Jayasokora of the Vicarage, Buddagama, (8) Wilfred Wickremaratne Welikala of the Vicarage, Buddagama, (9) Myrtle Wickremaratne of Korala Walawwa, Chilaw, (10) Freda Wickremaratne, (11) Frederick Wickremaratne, (12) Louisa Wickremaratne, all of Chilaw; minors, by their guardian *ad litem* the 14th respondent, (13) Bronda Mallika Wickremaratne of Parawahora by her guardian *ad litem* the 2nd respondent, (14) Rev. E. O. P. Welikala of Chilaw Respondents.

THIS matter coming on for disposal before V. E. Rajakarier, Esq., District Judge of Matara, on April 20, 1942, in the presence of the petitioner above named and of Mr. A. E. Bauljions, Proctor, on the part of the 5th respondent; and (1) the affidavit of the petitioner dated March 25, 1942, and (2) of the attesting notary and witnesses dated October 24, 1933, having been read: It is ordered that the joint last will No. 803 dated February 16, 1916, executed by the deceased James Alexander Wickremaratne, Gato Mudaliyar, of Matara, together with his wife Louisa Elizabeth Wickremaratne and duly admitted to probate in D. C. Matara, Testamentary case No. 2,529 and Codicil No. 334 dated November 24 1926, and Codicil No. 494 dated December 18, 1932, both executed by the said deceased and now deposited in this court be and the same are hereby declared proved; and it is further declared that the petitioner is entitled to have letters of administration to his estate with the copy of the last will and codicils annexed issued to him, unless the respondents above named or any other person or persons interested shall on or before May 25, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 14th respondent be and he is hereby appointed guardian *ad litem* over the 10th, 11th, and 12th minor respondents for all purposes of this action.

April 20, 1942.

V. E. RAJAKARIER,
District Judge.

In the District Court of Matara.

Order Nisi.

Testamentary In the Matter of the Last Will and Testament of Jurisdiction. Galappatti Meronchige Baburappu alias C. M. B. de Silva, of Wellakka in Weligama, deceased. No. 4,144

Kulappuwaduge Thisshamy of Kapparatota Petitioner.

(1) Galappatti Meronchige Perawathie, (2) ditto Dayawathie, (3) ditto Leelasami, all of Welligama, (4) Arukati Palabondigo Periris of Kapparatota Respondents.

THIS matter coming on for disposal before A. A. Samarakoon, Esq., District Judge of Matara, on March 10, 1942, in the presence of Messrs. Daluwatte & Jayasuriya, Proctors, on the part of the petitioner above named; and the affidavit of (a) the petitioner, (b) the attesting notary and the witnesses dated March 5, 1942, having been read: It is ordered that the last will and testament of Galappatti Meronchige Baburappu alias C. M. B. de Silva, deceased of which the original has been produced and is now deposited in this court, be and the same is hereby declared proved; and that the 4th respondent is hereby appointed guardian *ad litem* of the minors, 2nd and 3rd respondents, to represent them for all the purposes of this action, and the petitioner is the executor named in the said last will and she is hereby declared entitled to have probate thereof issued to her accordingly, unless the respondents above named or any other person or persons interested shall, on or before May 18, 1942, show sufficient cause to the satisfaction of this court to the contrary.

March 10, 1942.

A. A. SAMARAKOON,
District Judge.

In the District Court of Tangalla.

Testamentary In the Matter of the Intestate Estate of the late Jurisdiction. Don Nikulas Aboysinghe Wijesekera of Pallegama, deceased. No. 1,353

Don Sadiris Aboysinghe Wijesekera of Pallegama Petitioner.

(1) Jandiris Aboysinghe-Wijesekera of Pallegama (minor), (2) John Wijesiriwardana of Pallegama, (3) Aboysinghe Wijesekera Don Sman Appuhami of Pallegama, (4) Aboysinghe Wijesekera Don Hendreck of Unana, (5) Aboysinghe Wijesekera Don Andrayas of Pallegama, (6) Aboysinghe Wijesekera Hinhamine of Pallegama, (7) Aboysinghe Wijesekera James Dias of Pallegama, (8) Amarakoon Jalat Patranage Madduma Etana Hamine of Pallegama, (9) Aboysinghe Wijesekera Don Andrayas of Udakanukotiya Respondents.

THIS matter coming on for disposal before H. S. Roberts, Esq., District Judge of Tangalla, on January 8, 1942, in the presence of Mr. H. D. Ratnatunga, Proctor, on the part of the petitioner above named; and the affidavit dated November 29, 1941, of the petitioner above named having been read:

It is ordered that the petitioner be and he is entitled, as the 2nd son of the deceased, Don Nikolas Abeysinghe Wijesekera, to letters of administration of the said estate. Unless the respondents above named or any other persons interested shall, on or before February 12, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 9th respondent above named be and he is hereby appointed guardian *ad litem* over the 1st minor respondent above named, unless the respondents above named or any other person or persons interested shall, on or before February 4, 1942, show sufficient cause to the satisfaction of this court to the contrary.

HERBERT S. ROBERTS,
District Judge.

January 8, 1942.
Date for showing cause is extended till April 9, 1942.

March 12, 1942.
Date of showing cause is extended till April 26, 1942.

April 9, 1942.
Date for showing cause is extended till May 21, 1942.

April 23, 1942.

HERBERT S. ROBERTS,
District Judge.

HERBERT S. ROBERTS,
District Judge.

HERBERT S. ROBERTS,
District Judge.

26/ In the District Court of Jaffna.
Order Nisi.
Testamentary In the Matter of the Estate of the late Mahaledch-
Jurisdiction chumy wife of Velauthar Sithamparappillai of
No. 1,074. Tholpuram, deceased.

Kathiravelu Poopasasingar of Tholpuram Petitioner.

Vs.
(1) Kathiravelu Mahadevan, (2) Pooledchchumy daughter of
Kathiravelu minor, and (3) Velauthar Sithamparappillai, all of
Tholpuram Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on September 26, 1941, in the presence of Mr. V. Elaiyathamby, Proctor, on the part of the petitioner; and the affidavit of the petitioner having been read: It is ordered that the above-named 1st respondent be appointed guardian *ad litem* over the minor, the 2nd respondent, to represent her and to act on her behalf in the proceedings of this testamentary action and also letters of administration to the estate of the above-named deceased be issued to the petitioner, unless the respondents or any other persons shall appear before this court on November 10, 1941, and show sufficient cause to the satisfaction of this court to the contrary.

C. COOMARASWAMY,
District Judge.

October 13, 1941.
Extended for May 23, 1942.

C. COOMARASWAMY,
District Judge.

29/ In the District Court of Jaffna.
Order Nisi.
Testamentary In the Matter of the Intestate Estate of the late
Jurisdiction Achchimuttu alias Rasammah, wife of Chellappah
No. 1,104. Ponniah of Moolai, deceased.

Saravanamuttu Navaratnam of Moolai Petitioner.

(1) Ponniah Thuraiatnam, (2) Ponniah Rajaratnam, (3) Thavapakka, daughter of Ponniah, (4) Gnanambihai, daughter of Ponniah (minor), and (5) Thadivanaipillai, widow of Saravanamuttu, all of Moolai in Jaffna. Respondents.

THIS matter coming on for disposal before L. W. de Silva, Esq., Additional District Judge, Jaffna, on December 11, 1941, in the presence of Mr. V. Elaiyathamby, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner having been read:

It is ordered that the 5th respondent above named be appointed guardian *ad litem* over the minors, the above-named 1st to 4th respondents, to represent them and to act on their behalf in the proceedings of this testamentary action and that letters of administration to the estate of the above-named deceased be issued to the petitioner, unless the above-named respondents or any other persons shall appear before this court on January 30, 1942, and show sufficient cause to the satisfaction of this court to the contrary.

C. COOMARASWAMY,
District Judge.

January 12, 1942.
Extended for May 29, 1942.

C. COOMARASWAMY,
District Judge.

21/ In the District Court of Jaffna.
Order Nisi.
Testamentary In the Matter of the Intestate Estate of C. E. A.
Jurisdiction No. 1,129. Selvaratnam of Pandaitheruppu, deceased.

Ranjithamalar Selvaratnam of Pandaitheruppu Petitioner.

Vs.
(1) Alagarani, daughter of Selvaratnam of Pandaitheruppu,
(2) H. L. D. Selvaratnam of Pandichicci, presently of Brodie House, Horton Place, Colombo Respondents.

THIS matter coming on for disposal before C. Coomaraswamy, Esq., District Judge, Jaffna, on April 4, 1942, in the presence of Mr. V. Navaratnam Rajah, Proctor, on the part of the petitioner; and the affidavit and petition of the petitioner having been read:

It is ordered that the above-named 2nd respondent be appointed guardian *ad litem* over the minor, the 1st respondent, and that letters

of administration to the estate of the above-named deceased be issued to the petitioner, unless the respondents or any other persons shall appear before this court on May 20, 1942, and show sufficient cause to the satisfaction of this court to the contrary.

C. COOMARASWAMY,
District Judge.

April 1, 1942.

24/ In the District Court of Jaffna (held at Point Pedro).
Order Nisi.
Testamentary In the Matter of the Intestate Estate and Effects of
Jurisdiction. Vallipuram Sinnedurai of Valvettiturai,
No. 172. P. deceased.

Thankam, widow of Vallipuram Sinnedurai of Valvettiturai Petitioner
Vs.

Iyamugam Arumugam of Jaffna Respondent.

THIS matter coming on for disposal before L. W. de Silva, Esq., Additional District Judge, Jaffna, on January 29, 1942, in the presence of Mr. K. Ratnasingham, Proctor, on the part of the petitioner; and the petition and affidavit of the petitioner having been read:

It is ordered that the petitioner, as widow of the deceased, be declared entitled to have letters of administration to the estate of the deceased and that letters be issued to her accordingly, unless the respondent or any other person shall, on or before March 19, 1942, appear and show sufficient cause to the satisfaction of this court to the contrary.

L. W. DE SILVA,
Additional District Judge.

March 13, 1942.
Time to show cause extended till May 21, 1942.

L. W. DE SILVA,
Additional District Judge.

April 23, 1942.

31/ In the District Court of Kurunegala.
Order Nisi.

Testamentary In the Matter of the Estate of the late Hetti
Jurisdiction Arachchige Romanis Appuhamy, Peace Officer,
No. 4,436. of Muruthawa, deceased.

Mutukuda Wijesuriya Arachchige Dona Sopia Wijesuriya of
Muruthawa Petitioner.

Vs.
(1) Hetti Arachchige Dharmasena, (2) ditto, Leelawathie, both of
Muruthawa, (3) Mutukuda Wijesuriya Arachchige Don
Edwin Wijesuriya of the P. O., Colombo Respondents.

THIS matter coming on for disposal before H. A. de Silva, Esq., District Judge of Kurunegala, on January 29, 1942, in the presence of Messrs. Ratnayake & Thahir, Proctors for the petitioner above named; and the affidavit of the said petitioner dated November 23, 1941; having been read:

It is ordered that the 3rd respondent be and he is hereby appointed guardian *ad litem* over the 1st and 2nd minor respondents for the purpose of these proceedings, unless the respondents shall, on or before March 11, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is ordered that the said petitioner be and she is hereby declared entitled, as widow of the above-named deceased, to have letters of administration to his estate issued to her, unless the respondents or any other persons interested shall, on or before March 11, 1942, show sufficient cause to the satisfaction of this court to the contrary.

H. A. DE SILVA,
District Judge.

January 29, 1942.
Date for showing cause is extended and reissued for May 22, 1942.

H. A. DE SILVA,
District Judge.

April 23, 1942.

36/ In the District Court of Chilaw.
Order Nisi.

No. 2,280 T. In the Matter of the Intestate Estate and Effects
of the late Warusapperuma Kulatilaka Arthanayaka
Mudalige Pimthoris Appuhamy of Dummaladeniya West in Chilaw District, deceased.

THIS matter coming on for disposal before N. Sinnatambay, Esq., District Judge of Chilaw, on March 19, 1942, in the presence of Mr. A. S. Fonsekera, Proctor, on the part of the petitioner, Rajapaksa Kankamalage Seda Nona of Dummaladeniya West; and the affidavit of the said petitioner dated March 19, 1942, having been read:

It is ordered of consent that the petitioner, as the widow of the deceased, above named, be declared entitled to have letters of administration to his estate issued to her accordingly, unless the respondents—(1) Warusapperuma Kulatilaka Arthanayaka Mudalige Nivani Aththanayaka, (2) ditto, Sriwardhana Aththanayaka, (3) ditto Maliyaratne Aththanayaka, all of Dummaladeniya West, (4) ditto Dingiri Menike alias Gnanawathie Aththanayaka of Udawela in Kurunegala District, (5) ditto Seelawathie Aththanayaka, (6) ditto Nandawathie Aththanayaka, (7) ditto Jeewananda Aththanayaka, (8) ditto Somawathie Aththanayaka, and (9) ditto Kamalawathie Aththanayaka (minor) all of Dummaladeniya West aforesaid—or any other person or persons interested shall, on or before April 22, 1942, show sufficient cause to the satisfaction of this court to the contrary.

It is further ordered that the 3rd respondent above named be appointed guardian *ad litem* over the 9th respondent, minor, to represent her for the purpose of this action, unless any person or persons shall, on or before April 22, 1942, show sufficient cause to the contrary to the satisfaction of this court.

N. SINNATAMBY,
District Judge.

March 19, 1942.
Order Nisi for showing cause is extended to May 20, 1942.

N. SINNATAMBY,
District Judge.